

ORDINANCE NO. 3309

ORDINANCE AMENDING COUNTY FEE SCHEDULE

The Board of Supervisors of the County of San Luis Obispo, State of California, ordains as follows:

SECTION 1: The Board finds and determines:

- a. That it has the authority to revise fee charges for providing any product, service, or enforcement of various regulations under the general laws of the State of California, including Government Code Sections 54985 et seq. and 66010 et seq.
- b. On October 27, 2015, Ordinance No. 3307 and Ordinance No.3308 were adopted to amend Title 19 and Title 22 of the County Code to require that new irrigated Agriculture that overlies the Paso Robles Groundwater Basin and new development that overlies the Paso Robles Groundwater Basin or the Nipomo Mesa Water Conservation Area offset new water use at a 1:1 ratio. Implementation of these ordinances requires the adoption of new fees to allow applicants to obtain an offset clearance. The timing of these ordinances requires that these fees be adopted and implemented prior to the next annual fee schedule amendment.
- c. On November 25, 2014, Ordinance No. 3724 was adopted establishing or reaffirming all county fees. Said Ordinance established all fees to be charged in calendar year 2014 as set forth in Schedule "A" thereto or in Fiscal Year 2015-16 as set forth in Schedule "B" thereto. Said Ordinance and Schedules A and B thereto will continue in effect, with the addition of the new fees in Schedule B as shown in Exhibit A and Exhibit B. These new fees have been subject to review by the County Administrator and the County Auditor-Controller. All fees and amendments to Schedule B presented in Exhibit A and Exhibit B are incorporated by reference herein.
- d. The Auditor-Controller has certified to this Board that the overhead rates are calculated in accordance with accounting standards set by the Federal Government's Office of Management and Budget, in accordance with Circular A-87.
- e. The fees and charges shown in Exhibit A and Exhibit B hereto reflect the Board-approved charges for providing any product or service, or the cost of enforcing any regulations, which are limited to those items included in the Federal Office of Management and Budget Circular A-87; provided, however, that the fees, as specified in Government Code Section 66016, do not exceed estimated reasonable costs of those services for which the fees are charged.
- f. By definition, these charges are not a "tax" and are exempt from voter approval pursuant to California Constitution Code article XIIC, section 1, paragraph (e)(1)[charge for specific benefit conferred]/(2)[charge for a specific government service or product]/(3)[charge for issuing licenses or performing inspections] (Prop.26).
- g. Public Notice has been given in accordance with Government Code Sections 66016 and 66018.

SECTION 2: Pages 110 and 193 of Schedule B of Ordinance 3724 are hereby amended as shown in Exhibit A and Exhibit B, and shall be effective sixty (60) days following passage of this ordinance.

SECTION 3: All departmental managers and divisional managers whose services are listed in said Exhibit A and Exhibit B are hereby directed to amend their fees for services to the rate shown in Exhibit A and Exhibit B as "proposed fees", including all additions or deletions.

SECTION 4: This Ordinance shall take effect and be in full force as set forth in Section 2 above; and before the expiration of (15) days after passage of this ordinance, it shall be published once with the names of the member of the Board of Supervisors voting for and against the ordinance in the Tribune, a newspaper of general circulation published in the County of San Luis Obispo, State of California.

INTRODUCED at a regular meeting of the Board of Supervisors held on 6th day of October, 2015 and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 27th day of October 2015, by the following roll call vote, to wit:

AYES: Supervisors Frank R. Mecham, Adam Hill and Bruce S. Gibson

NOES: Supervisors Chairperson Debbie Arnold and Lynn Compton

ABSENT: None

ABSTAINING: None

Debbie Arnold
Chairperson of the Board of Supervisors
County of San Luis Obispo, State of
California

ATTEST:

TOMMY GONG
County Clerk and Ex-Officio Clerk of the
Board of Supervisors, County of
San Luis Obispo, State of California

By: Annette Ramirez
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: /s/ Whitney McDonald
Deputy County Counsel

Dated: September 29, 2015

STATE OF CALIFORNIA) ss.
COUNTY OF SAN LUIS OBISPO)

I, **TOMMY GONG**, County Clerk of the above entitled County, and Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors on November 2, 2015.

TOMMY GONG,
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By: Annette Ramirez
Deputy Clerk

Exhibit A: Amendments to the FY 2015-16 County Fee Schedule

Change	Fee Description	Authority	Fee Amount	Unit Desc.	Comments
	Public Works				
	Services to Special Districts - Budget Unit 20104				
New Fee	Well Meter Inspection Fee For Paso Robles Groundwater Basin and Nipomo Mesa Water Conservation Area		375.00	each	
	Planning and Building				
	Land Use Applications				
New Fee	Paso Robles Groundwater Basin Agricultural Offset Clearance		1877.24	each	